

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

N.V.E., INC.,

Plaintiff,

V.

JESUS J. PALMERONI, et al.,

Defendant.

Civil Action No. 06-5455 (GEB)

## ORDER

JESUS J. PALMERONI,

Third-Party Plaintiff,

V.

ROBERT OCCHIFINTO and WALTER  
ORCUTT,

### Third-Party Defendants.

This matter having come before the Court upon a Motion to Withdraw the Reference of the plaintiff N.V.E., Inc. and third party defendants Robert Occifinto and Walter Orcutt (Docket Entry No. 68); and the Court noting that the defendant/third party plaintiff Jesus Joseph Palmeroni does not oppose the motion (Docket Entry No. 69); and this Court having jurisdiction to consider this motion pursuant to 28 U.S.C. § 1334; and the Court noting that “the district court may withdraw, in whole or in part, any case or proceeding referred under this section, on its own motion or on timely motion of any party, for cause shown,” and the factors to consider in determining whether there is cause to withdraw the reference include the efficient administration of justice, the reduction of forum shopping, the uniformity of bankruptcy administration, the economical use of the parties’ resources,

the statutory objective of utilizing the Bankruptcy Judge's expertise, and the preservation of the appellate process, 28 U.S.C. § 157(d); In re Pruitt, 910 F.2d 1160, 1168 (3d Cir.1990) (citing Holland America Ins. Co. v. Succession of Roy, 777 F.2d 992, 999 (5th Cir. 1985)); In re Powelson, 878 F.2d 976, 983 (7th Cir. 1989); and the Court having determined that such a withdrawal will promote the efficient administration of the matter; and for the reasons stated on the record during the teleconference held on October 22, 2009, and for good cause shown

IT IS THIS 23<sup>rd</sup> day of October, 2009

ORDERED that the Motion to Withdraw the Reference (Docket Entry No. 68) is GRANTED.

s/ Garrett E. Brown, Jr.  
GARRETT E. BROWN, JR., U.S.D.J.